

2161

PATENT
ATTORNEY DOCKET NO: 444.12.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

KUTARAGI et al.

Application No.: 09/764,475 /

Filing Date: January 17, 2001

For: METHOD AND SYSTEM FOR
PROCESSING BUSINESS

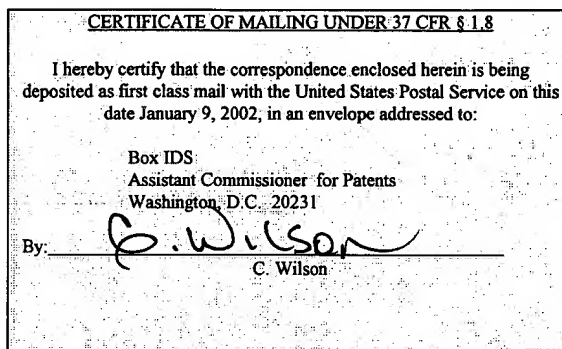
Box IDS
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Group Art Unit: 2161

Examiner: Unassigned

RECEIVED
JAN 30 2002
Technology Center 2100



INFORMATION DISCLOSURE STATEMENT

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached Form PTO-1449) of which they are aware pursuant to their duty of disclosure in accordance with 37 C.F.R. § 1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith.
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491. 37 C.F.R. § 1.97(b)(1) and (2).
- (c) ☒ as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits. 37 C.F.R. § 1.97(b)(3).
- (d) ☐ as far as is known to the undersigned, is filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. 37 C.F.R. § 1.97(b)(4).

- (d) ☐ as far as is known to the undersigned, is filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. 37 C.F.R. § 1.97(b)(4).
- (e) ☐ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of any of a final rejection, a notice of allowance, or an action that otherwise closes prosecution in the application, whichever occurs first, and is accompanied by either the fee set forth in 37 C.F.R. § 1.17(p) or a certification as specified in 37 C.F.R. § 1.97(e), as checked below. 37 C.F.R. § 1.97(c).
- (f) ☐ is filed after the mailing date of any of a final rejection, a notice of allowance, or an action that otherwise closes prosecution in the application, whichever occurs first, and is accompanied by the fee set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. 37 C.F.R. § 1.97(d). This document is to be considered as a petition requesting consideration of the information disclosure statement.

[If either of boxes (e) or (f) are checked above, the following "certification" under 37 C.F.R. § 1.97(e) may need to be completed.] The undersigned certifies that:

- ☐ Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of the items on PTO-1449 is supplied herewith:

☒ [X] each ☐ [] none ☐ [] only those listed below:

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached PTO form 1449 are not supplied because they were previously cited by or submitted to the Office in a prior application Serial No. _____ filed _____ and relied upon in this application for an earlier filing date under 35 U.S.C. § 120.

A concise explanation of relevance of the items listed on PTO-1449 is:

- ☐ [] not given
- ☐ [] given for each listed item
- ☐ [] given for only non-English language listed item(s) [Required]
- ☒ [X] is in the form of an Japanese language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

The Examiner is reminded that a "concise explanation of the relevance" of the submitted prior art "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

Pursuant to 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made. Furthermore, pursuant to 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in this statement is, or is considered to be, material to patentability, as defined in 1.56(b). The filing of this Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 C.F.R. § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication or credit any overpayment to Deposit Account No.04-0822.

Respectfully submitted,

DERGOSITS & NOAH LLP

Dated: Feb 9 January 9, 2002

By: Michael E. Dergosits
Michael E. Dergosits
Reg. No. 31,243

Please send all correspondence to:

Dergosits & Noah LLP
Four Embarcadero Center, Suite 1150
San Francisco, California 94111
(415) 705-6377



FORM PTO-1449 (Rev. 7-80)		U.S. Dept. of Commerce Patent and Trademark Office		Atty. Docket No: 444.12.01		Appl. No: 09/764,475	
LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary)				Applicant: KUTARAGI et al.			
				Filing Date: January 17, 2001			
U.S. PATENT DOCUMENTS							
Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date
		5,889,863	03/30/99	WEBER	380	25	06/17/96
		5,826,241	10/20/98	STEIN ET AL.	705	26	09/16/94
		5,757,917	05/26/98	ROSE ET AL.	380	25	11/01/95
FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Subclass	Translation Yes No
		EP1 017 030 A2	12/29/99	EUROPE	G07F	7/10	
		JP11296580	04/14/98	JAPAN	G06F	15/21	X
		JP 9 282367	04/09/96	JAPAN	G06F	15/21	X
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
		Programmer's Guide and Reference, IBM Payment Server for AS/400, Version 1.2					
Examiner				Date Considered			
* Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							